



Inter Department Correspondence Sheet

TO: Members of City Council

FROM: Breck Daughtrey, City Clerk

COPIES TO: \_\_\_\_\_

SUBJECT: Minutes of City Council Meeting

June 24, 2016

Attached are the minutes of the Committee meeting and City Council meeting and held on Tuesday, June 14, 2016.

Breck

**NORFOLK, VIRGINIA**  
**TRANSPORTATION INFRASTRUCTURE**  
**COMMITTEE MEETING**

**TUESDAY, JUNE 14, 2016**

The meeting was called to order with the following members present: Mayor Fraim, Mr. Riddick, Mrs. Graves and Dr. Whibley.

**TRANSPORTATION UPDATE**

Deputy City Manager Williams reported that construction is underway on the I-564 intermodal connector. Contract work continues; however, VDOT is working with Eastern Federal Lands on a plan to consider whether they will continue with the current contractor, Cherry Hill, and keep them to the established schedule or negotiate a new schedule, or whether the project will be stopped and rebid. They expect to conclude negotiations in the next week or two and the Secretary of Transportation is directly managing this. Mayor Fraim asked if there is a time schedule. Mr. Williams answered no, and that is part of what they are negotiating.

The new Midtown Tunnel will be opening ahead of schedule. One westbound lane will open in June; the full opening is in August. Renovation is planned for the eastbound tunnel and the lanes will be alternated during that process. Final completion is spring of 2017. The Elizabeth River Trail should re-open in November.

**MILITARY HIGHWAY URBAN DEVELOPMENT AREA STUDY**

Deputy City Manager Ron Williams stated that the Urban Development Area initiative provides a road map for the future of Military Highway and transit-oriented development in the area. A video on Vision 2100 was played for the Committee following which a presentation was delivered by Vlad Gavrilovic of Renaissance Planning Group.

Mr. Gavrilovic stated that the study considered: 1) the growth of the city, 2) the growth of the market area, 3) the growth of affluence, 4) new demographics in the area of active baby boomers, retirees and young families, 5) resilience of the site, 6) regional prominence of the area and 7) possible extension

of light rail. A series of public meetings were held and they worked with an advisory committee. While working with the advisory committee they took a close look at two light rail alignments. In response to the goals of the advisory committee and citizens, pulling the alignments off the 12-lane arterial highways into a new transit boulevard was examined. This concept has worked well in places like Portland and San José, and offers the opportunity to create transit-oriented development and a walkable, urban environment. The alignment chosen by the advisory committee would come off the Newtown Road station, continue along Kempsville Road with stations at Sentara Leigh Hospital, Military Circle and Janaf Shopping Center and then continue along Military Highway.

The vision is mixed use, with residential, commercial, and institutional development. Over the next few decades, this area can be transformed into a series of new urban communities with parks and plazas and green space. A final report will be complete in the next month or two.

### **TRANSIT EXTENSION STUDY**

Mr. William Harrell, President and CEO of Hampton Roads Transit, stated that the Federal Transit Administration recommended studying two potential light-rail routes to the Norfolk Naval Station. The western route would begin near the Eastern Virginia Medical School, continue through Ghent and Old Dominion University and proceed on to the naval station. The eastern route would start near the eastern terminus of the existing line and proceed north to Military Circle, Norfolk International Airport and then west to the naval station.

Mayor Fraim asked if any other cities might assist with funding. Mr. Harrell answered that it is going to take a dedicated regional funding source for public transit and the cities need to rally behind each other. He added that HRT is seeking federal funding which could potentially pay for half the projects but the other half would come from state and local funds.

# **NORFOLK, VIRGINIA**

## **BUSINESS MEETING OF COUNCIL**

**TUESDAY, JUNE 14, 2016**

President Fraim called the meeting to order at 5:20 p.m. with the following members present: Ms. Graves, Ms. Johnson, Mr. Protogyrou, Mr. Riddick, Mr. Smigiel, Dr. Whibley and Mr. Winn.

He thereupon called for the Council interests.

### **A. CLOSED SESSION**

Motion for closed session was approved for purposes which are set out in Clause(s) 1,3 and 7 of subsection (A) of Section 2.2-3711 of the Virginia Freedom of Information Act, as amended:

- (1) Discussion of candidates for appointment to city boards, commissions and authorities.
- (3) Discussion of the acquisition of real property for public purpose in the Riverview area of the city.
- (7) Consultation with legal counsel regarding the use of Community Development Block Grant funds.

Yes: Graves, Johnson, Protogyrou, Riddick, Smigiel, Whibley, Winn and Fraim.

No: None.

### **B. COUNCIL INTERESTS**

#### **1. Councilman Riddick:**

- Expressed concern with traffic going at high rates of speed throughout the city; trucks coming from the port; city vehicles, drivers speeding through red lights and going around school buses; and police cars and pedestrians jaywalking. He suggested additional resources to increase the traffic bureau.
- Asked for a disparity study regarding minority businesses doing business with the city.
- Use public service announcements more efficiently for traffic alerts, TV and radio ads and ads on HRT buses.

2. Councilman Winn:

- Asked for a sign on Brambleton Avenue to notify drivers when the Berkley Bridge is open.

3. Councilwoman Whibley:

- Asked for a sign on Hampton Boulevard going toward Terminal Boulevard before Little Creek Road that says, Terminal Boulevard eastbound is closed.
- Asked to schedule four to six joint meetings with the school board, stating that there was very little interaction and discussion about the budget this year. She asked if they could pursue the revenue formula that she discussed with the Manager and maybe talk about it at the retreat.

4. Councilwoman Johnson:

- Suggested they do a better job with communicating with the school board, and to schedule more discussions with NPS about budget, shared resources and continuing revenue to support their needs along with what the City can provide.
- Asked to connect with Norfolk communities about job opportunities in the City of Norfolk, and for a list of all job opportunities in the city, including businesses opening in 2017, stating that she would like Norfolk citizens to get the jobs first.

5. Vice Mayor Graves:

- Asked to partner with Opportunity Inc., to help Norfolk citizens applying for job opportunities, i.e. job applications, resumes, interview skills, etcetera.
- Asked the administration to address concerns with people doing car repair in a residential neighborhood at 429 Honaker Avenue.

6. Councilman Smigiel:

- Asked for an update on the Main and where they are with the project budget, expected opening date, and what has changed with the project since the last update. Also include the same information on school construction and where they are with that, including change orders and etcetera.
- Expressed concern with the Wyland painting replica that will no longer be included unless the school system pays for it, noting that Council should be consulted on change orders.
- In regards to the grass cutting schedule, he asked what happened with partnering with the Sheriff's Office on grass cutting, weed eating, median maintenance and urged staying on top of it.

- Asked if the city is still policing orphan shopping carts left at bus stops.
- Asked if the city still has crews checking for burned-out street lights and also asked for an updated list on lights that are out so that the city can get a discount from Dominion Power.
- Asked for a conversation with the School Board to talk about teacher compensation, stating that Norfolk is losing quality teachers and administrators to surrounding cities.

7. Mayor Fraim:

- Asked for a study on what other communities pay their teachers and administrators.
- Stated he received requests for a designation of a portion of Philpotts Road to be named Walter Green and asked the City Clerk and City Attorney to draw something up to honor this request and they can vote on it at the next meeting.

**C. GLASS ART CENTRIC BOUTIQUE HOTEL**

Peter Chapman, Deputy City Manager, reported as follows:

- There is a revenue sharing performance-based grant ordinance on today's agenda for this project.
- The proposal is to redevelop the Royster Building into a boutique hotel that would also be a glass art destination.
- It will be a 120-Autograph Collection Hotel by Marriott and a \$27 million investment that will create 60 permanent jobs.
- The EDA grant would be \$5 million for 15 years.
- Consideration of a parking agreement similar to other downtown hotels will be taken up at a later date.

**D. SHORT TERM RENTALS**

Adam Melita, Deputy City Attorney, reported as follows:

- Short term rentals are easier to operate – easier to list and easier to book.
- Short term rentals fill a demand – guests who want more than a hotel, but don't need an apartment.
- Short term rentals are illegal in Norfolk – single-family zoning rule limits use of any dwelling to one family per 30-day period.
- Two kinds of operators: single owner-occupied residence and single vacant residence.
- Virginia 2015 Statistics – 4,500 hosts, 15,000 guests, average length of stay 3.3 nights, average income for a host \$4,300.

- Typical regulations: Basic Public Safety – permit administrative with fee, maximum occupancy, smoke alarms and fire extinguishers required; Neighborhood Protection – emergency contact, owner must be present, enhanced parking rules, density limits, special use permit required; Regulating the Market – occupancy tax, inspections, guest registry.

**NORFOLK, VIRGINIA**  
**ACTION OF THE COUNCIL**  
**CITY COUNCIL MEETING**

**TUESDAY, JUNE 14, 2016 – 7:00 P.M.**

President Fraim called the meeting to order at 7:00 p.m.

The opening prayer was offered by Councilman Paul R. Riddick, followed by the Pledge of Allegiance.

The following members were present: Ms. Graves, Ms. Johnson, Mr. Protogyrou, Mr. Riddick, Mr. Smigiel, Dr. Whibley, Mr. Winn and Mr. Fraim.

President Fraim moved to dispense with the reading of the minutes of the previous meeting.

**Motion adopted.**

Yes: Graves, Johnson, Riddick, Protogyrou, Smigiel, Whibley, Winn and Fraim.

No: None.

**CERTIFICATION OF CLOSED MEETING**

A Resolution entitled, "A Resolution certifying a closed meeting of the Council of the City of Norfolk in accordance with the provisions of the Virginia Freedom of Information Act," was introduced in writing and read by its title.

**ACTION:** The Resolution as introduced was **adopted**, effective June 14, 2016.

Yes: Graves, Johnson, Protogyrou, Riddick, Smigiel, Whibley, Winn and Fraim.

No: None.



## **PUBLIC HEARINGS**

PH-1

**PUBLIC HEARING** scheduled this day under the State law, public notice having been inserted in the local press by the City Clerk, to hear comments approving the terms and conditions of a Lease of space in City Hall to **Suntrust Bank** for the location of an ATM machine.

Thereupon, an Ordinance entitled, "An Ordinance approving the terms and conditions of a Lease of space in City Hall to **Suntrust Bank** for the location of an ATM Machine," was introduced in writing and read by its title.

**ACTION:** The Ordinance as introduced was **adopted**, effective July 15, 2016.

Yes: Graves, Johnson, Riddick, Protogyrou, Smigiel, Whibley, Winn and Fraim.

No: None.

PH-2

**PUBLIC HEARING** scheduled this day under the State law, public notice having been inserted in the local press by the City Clerk, to hear comments on the conveyance to **Balance Builders, Inc.** of a certain parcel of property located at **4014 Powhatan Avenue** for the total sum of \$18,000.00 in accordance with the terms and conditions of the Purchase and Sale Agreement.

Thereupon, an Ordinance entitled, "An Ordinance authorizing the conveyance to **Balance Builders, Inc.**, of a certain parcel of property located at **4014 Powhatan Avenue** for the total sum of \$18,000.00 in accordance with the terms and conditions of the Purchase and Sale Agreement," was introduced in writing and read by its title.

**ACTION:** The Ordinance as introduced was **adopted**, effective July 15, 2016.

Yes: Graves, Johnson, Riddick, Protogyrou, Smigiel, Whibley, Winn and Fraim.

No: None.

PH-3

**PUBLIC HEARING** scheduled this day under the State law, public notice having been inserted in the local press by the City Clerk, to hear comments on the issuance of up to \$175,000,000 in **General Obligation Bonds** (the "Bonds") of the City of Norfolk, Virginia (the "City"), to finance a portion of the City's Capital Improvement Program.

Ellis James, 2021 Kenlake Place, spoke in favor of this matter.

Thereupon, an Ordinance entitled, "An Ordinance authorizing the issuance and sale by the City of Norfolk, Virginia, of up to \$175,000,000 in **General Obligation Capital Improvement Bonds**," was introduced in writing and read by its title.

**ACTION:** The Ordinance as introduced was **adopted**, effective June 14, 2016.

Yes: Graves, Johnson, Riddick, Protogyrou, Smigiel, Whibley, Winn and Fraim.

No: None.

### **REGULAR AGENDA**

R-1

Letter from the City Manager and an Ordinance entitled, "An Ordinance authorizing the issuance and sale by the City of Norfolk, Virginia, of up to \$360,000,000 in **General Obligation Refunding Bonds** to refund earlier bond issues," was introduced in writing and read by its title.

**ACTION:** The Ordinance as introduced was **adopted**, effective June 14, 2016.

Yes: Graves, Johnson, Riddick, Protogyrou, Smigiel, Whibley, Winn and Fraim.

No: None.

R-2

Letter from the City Manager and an Ordinance entitled, “An Ordinance authorizing the issuance and sale by the City of Norfolk, Virginia, of up to \$160,000,000 in **Water Revenue Refunding Bonds** to refund earlier bond issues,” was introduced in writing and read by its title.

**ACTION:** The Ordinance as introduced was **adopted**, effective June 14, 2016.

Yes: Graves, Johnson, Riddick, Protogyrou, Smigiel, Whibley, Winn and Fraim.

No: None.

R-3

Letter from the City Manager and an Ordinance entitled, “An Ordinance to grant a Certificate of Appropriateness for replacement of the roof on a residential property at **534 Pembroke Avenue** and located in a Historic District,” was introduced in writing and read by its title.

Lenny Newcombe, Assistant Planning Director, provided a background summary of this above item.

Richard Ottinger, applicant, 534 Pembroke Avenue, spoke in favor of this matter.

Greta Gustavson, 421 W. Bute Street, and Chair of the Architectural Review Board, spoke in opposition to this matter.

Robin Ingram, 540 Pembroke Avenue, spoke in favor of this matter.

The following were present in support of this matter but did not wish to speak: Jeff Cooper, 804 Botetourt Gardens, Terri Kircher and Marcellus Kircher, 721 Colonial Avenue, William Ingram, 540 Pembroke Avenue, Linwood Beckner, 296 College Place, Mel Price, 208 E. Plume Street Rachel Spruill, 1348 Bayonne Street, and Edward Kimple, 1014 Magnolia Avenue Beach.

**ACTION:** The Ordinance as introduced was **adopted**, effective June 14, 2016.

Yes: Graves, Johnson, Protogyrou, Smigiel, Winn and Fraim.

No: Riddick and Whibley

R-4 Letter from the City Manager and an Ordinance entitled, "An Ordinance granting a Granby Development Certificate to permit the renovation of an existing warehouse to provide residential dwelling units on property located at **210 East 22<sup>nd</sup> Street**," was introduced in writing and read by its title.

Grady Palmer, 999 Waterside Drive, was present to answer questions in this matter.

**ACTION:** The Ordinance as introduced was **adopted**, effective June 14, 2016.

Yes: Graves, Johnson, Riddick, Protogyrou, Smigiel, Whibley, Winn and Fraim.

No: None.

R-5 Letter from the City Manager and an Ordinance entitled, "An Ordinance to approve and adopt a schedule of fees related to the cost of implementing and enforcing the **Uniform Statewide Building Code**," was introduced in writing and read by its title.

**ACTION:** The Ordinance as introduced was **adopted**, effective July 5, 2016.

Yes: Graves, Johnson, Riddick, Protogyrou, Smigiel, Whibley, Winn and Fraim.

No: None.

R-6 Letter from the City Manager and an Ordinance entitled, "An Ordinance granting a Special Exception to permit the operation of an automobile storage yard for "DAC Warehouse, LLC" on property located at **429 West 24<sup>th</sup> Street**," was introduced in writing and read by its title.

Mel Price, 208 E. Plume Street was present to answer questions in this matter.

**ACTION:** The Ordinance as introduced was **adopted**, effective June 14, 2016.

Yes: Graves, Johnson, Riddick, Protogyrou, Smigiel, Whibley, Winn and Fraim.

No: None.

R-7

Letter from the City Manager and an Ordinance entitled, "An Ordinance granting a Special Exception to permit the operation of a commercial drive-through for "Starbucks" on property located at **7600 Hampton Boulevard**," was introduced in writing and read by its title.

Thomas C. Kleine, 222 Central Park Avenue, #200, Virginia Beach and Steve Blevins, 770 Independence Circle, Virginia Beach, were present to answer questions.

The following were present in support of this matter but did not wish to speak: Raymond Hicks, 2529 Virginia Beach Boulevard, #200, Virginia Beach, Denbeigh Marchant, 2529 Virginia Beach Boulevard, #200, Virginia Beach, Rachel Spruill, 1348 Bayonne Street, David Machupa, 222 Central Park Avenue, Virginia Beach and Edward Kimple, 1014 Magnolia Avenue.

**ACTION:** The Ordinance as introduced was **adopted**, effective June 14, 2016.

Yes: Graves, Johnson, Riddick, Protogyrou, Smigiel, Whibley, Winn and Frain.

No: None.

R-8

Letter from the City Manager and the following three Ordinances:

An Ordinance entitled, "An Ordinance granting a Special Exception to permit a commercial drive-through for "Starbucks" on property located at **2000 Colonial Avenue, Unit 12**," was introduced in writing and read by its title.

Robyn Thomas, 913 W. 21<sup>st</sup> Street and Joe Bushey, 4500 Main Street, Virginia Beach, and Kristen Tynch, 4500 Main Street, Virginia Beach, were present to answer questions.

Jack Plomgren, 332 Laskin Road, Virginia Beach, spoke in favor of this matter.

The following were present in support of this matter but did not wish to speak: Linwood Beckner, 296 College Place, John Cooper, 1117 Buckingham Avenue, Angel Chen, 2000 Colonial Avenue, Dave McDonald, 424 21<sup>st</sup> Street, Eric Cooper, 414 Brackenridge Avenue, Jeff Cooper, 804 Botetourt Gardens, Joe Haskell, 3325 East Ocean View Avenue, Margie

Tekamp, 327 Fairfax Avenue, Linda Staehling, 555 E. Main Street, Terri and Marcellus Kirchner, 721 Colonial Avenue, Geoffrey Poston, 1635 Ashland Avenue, Andrew Stein, 999 Waterside Drive, Jim Hurley, 2014 Granby Street, #2000, Monica Cooper, 1117 Buckingham Avenue, Mary Yelinek, 3760 Clinia Drive, Virginia Beach, Camille Cooper, 1117 Buckingham Avenue, Allan Stein, 110 A. 87<sup>th</sup> Street, Virginia Beach, Eric Stanley, 222 Central Park, Virginia Beach, George Vick, 5445 Warren Crescent, Charles Cooper, 7339 Barberry Lane, Edward Kaufman, 530 Raleigh Avenue, Allison Cooper, 804 Botetourt Gardens, Wick Smith, 934 Larchmont Crescent, Cynthia Vazquez, 825 Monticello Court, Richard Ottinger, 534 Pembroke Avenue, Hugh Tierney, 731 9<sup>th</sup> Street, Virginia Beach, Matthew Fine, 130 W. Belvedere Road, Hannah Cooper, 414 Brackenridge Avenue, Betsy Cooper, 414 Brackenridge Avenue, Edward Kimple, 1014 Magnolia Avenue, Denbeigh Marchant, 2529 Virginia Beach Boulevard, Raymond Hicks, 2529 Virginia Beach Boulevard, Rachel Spruill, 1348 Bayonne Street, and David, Machupa, 222 Central Park Avenue, Virginia Beach.

**ACTION:** The Ordinance as introduced was **adopted**, effective June 14, 2016.

Yes: Graves, Johnson, Riddick, Protogyrou, Smigiel, Whibley, Winn and Fraim.

No: None.

R-8A                      An Ordinance entitled, “An Ordinance granting a Pedestrian Commercial Overlay District Development Certificate to permit the construction of a new retail sales and eating establishment on property located at **2000 Colonial Avenue, Unit 12**,” was introduced in writing and read by its title.

**ACTION:** The Ordinance as introduced was **adopted**, effective June 14, 2016.

Yes: Graves, Johnson, Riddick, Protogyrou, Smigiel, Whibley, Winn and Fraim.

No: None.

R-8B

An Ordinance entitled, "An Ordinance vacating a portion of a building line situated on the north side of **West 20<sup>th</sup> Street between Colonial Avenue and Debrece Avenue**," was introduced in writing and read by its title.

**ACTION:** The Ordinance as introduced was **adopted**, effective June 14, 2016.

Yes: Graves, Johnson, Riddick, Protogyrou, Smigiel, Whibley, Winn and Fraim.

No: None.

R-9

Letter from the City Manager and an Ordinance entitled, "An Ordinance granting a Special Exception authorizing the sale of alcoholic beverages for off-premises consumption at an establishment known as "Elixia" on property located at **257 Granby Street**," was introduced in writing and read by its title.

Rick Henn, 1400 Granby Street, representing the applicant, was present to answer questions.

**ACTION:** The Ordinance as introduced was **adopted**, effective June 14, 2016.

Yes: Graves, Johnson, Riddick, Protogyrou, Smigiel, Whibley, Winn and Fraim.

No: None.

R-10

Letter from the City Manager and an Ordinance entitled, "An Ordinance granting a Special Exception to permit the operation of an automobile repair facility on property located at **5880 to 5888 Poplar Hall Drive**," was introduced in writing and read by its title.

C.E. Forehand, 219 Sir Oliver Road, was present to answer questions.

Ellis James, 2021 Kenlake Place, spoke in opposition to this matter.

Daniel Frishkorn, 803 Wilbur Avenue, Chesapeake was present in favor of this matter but did not wish to speak.

**ACTION:** The Ordinance as introduced was **adopted**, effective June 14, 2016.

Yes: Graves, Johnson, Riddick, Protogyrou, Smigiel, Whibley, Winn and Fraim.

No: None.

R-11 Letter from the City Manager and an Ordinance entitled, "An Ordinance granting a Special Exception to permit the construction of a communication tower (commercial) on property located at **5880 to 5888 Poplar Hall Drive**," was introduced in writing and read by its title.

C.E. Forehand, 219 Sir Oliver Road, was present to answer questions.

**ACTION:** The Ordinance as introduced was **adopted**, effective June 14, 2016.

Yes: Graves, Johnson, Protogyrou, Smigiel, Whibley, Winn and Fraim.

No: Riddick.

R-12 Letter from the City Manager and an Ordinance entitled, "An Ordinance granting a Special Exception to operate a used merchandise sales establishment named "Salvation Army Family Store" on property located at **2340 East Little Creek Road**" was introduced in writing and read by its title.

The following spoke in support of this matter, R.G. Nutter, 222 Central Park Avenue, Major Stephen Long, 5525 Raby Road, Captain Dwayne Burleigh, 1036 Minden Road, Virginia Beach, Denbeigh Marchant, 2529 Virginia Beach Boulevard, #200, Jason Shedlock, 316 E. Farmington Road, Virginia Beach, Eric Fernandez, 5725 W. Hastings Arch, Virginia Beach, David Brady, 5836 Newtown Arch, #102, Virginia Beach, and Michael Shahan, President of Bel-Air Civic League, 8021 Buffalo Avenue.

Joe Lowrey, 2148 Helsley Avenue, John C. Marshall, 1871 Banning Road, and Kathleen Libert, 8041 Wedgewood Drive, spoke in opposition to this matter.



The following were present in support of this matter but did not speak, Michael Myers, 440 Monticello, Kevin Baringer, 2300 E. Little Creek Road, Raymond Hicks, 2529 Virginia Beach Boulevard, #200, Andrew Stein, 999 Waterside Drive, #1400, Eric Cooper, 4114 Brackenridge Avenue, Eric Stanley, 222 Central Park, Virginia Beach, Rachel Spruill, 1348 Bayonne Street, David, Machupa, 222 Central Park Avenue, Virginia Beach and Edward Kimple, 1014 Magnolia Avenue.

**ACTION:** The Ordinance as introduced was **adopted**, effective June 14, 2016.

Yes: Graves, Johnson, Riddick, Protogyrou, Winn and Fraim.

No: Smigiel and Whibley.

Following the vote, Vice Mayor Angelia Williams Graves, departed the meeting.

R-13 Letter from the City Manager and an Ordinance entitled, "An Ordinance granting a Special Exception authorizing the operation of an eating and drinking establishment known as "Little Dog Diner" on property located at **1917 Colley Avenue**," was introduced in writing and read by its title.

Mike Basham, 304 Butrico Road, Chesapeake, was present to answer questions.

**ACTION:** The Ordinance as introduced was **adopted**, effective June 14, 2016.

Yes: Johnson, Riddick, Protogyrou, Smigiel, Whibley, Winn and Fraim.

No: None.

R-14 Letter from the City Manager and an Ordinance entitled, "An Ordinance authorizing the amendment of the **Revolving Loan Fund Plan**, as approved by the United States Department of Commerce Economic Development Administration, authorizing the Cooperation Agreement to be entered into with the Economic Development Authority, and, appropriating and authorizing the expenditure of up to \$625,000.00 in Grant Funds in furtherance of the Norfolk Revolving Loan Fund Plan dated October 2015," was introduced in writing and read by its title.

**ACTION:** The Ordinance as introduced was **adopted**, effective June 14, 2016.

Yes: Johnson, Riddick, Protogyrou, Smigiel, Whibley, Winn and Fraim.

No: None.

R-15 Letter from the City Manager and a Resolution entitled, “A Resolution approving the formation of legal entities by the Norfolk Redevelopment and Housing Authority to facilitate the renovation of the **Young Terrace and Diggs Town Communities**,” was introduced in writing and read by its title.

Steve Morales, Norfolk Redevelopment and Housing Authority, was present to answer questions.

**ACTION:** Continued to July 12, 2016.

Yes: Johnson, Riddick, Protogyrou, Smigiel, Whibley, Winn and Fraim.

No: None.

R-16 Letter from the City Manager and an Ordinance entitled, “An Ordinance permitting **749 Boush Street, LLC** to encroach into the right-of-way of **Boush Street and Grace Street** with an underground footer and concrete flood wall” was introduced in writing and read by its title.

**ACTION:** The Ordinance as introduced was **adopted**, effective June 14, 2016.

Yes: Johnson, Riddick, Protogyrou, Smigiel, Whibley, Winn and Fraim.

No: None.

R-17 Letter from the City Manager and an Ordinance entitled, “An Ordinance permitting **Virginia Natural Gas** to encroach into the right-of-way of **Lance Road** with an overhead canopy,” was introduced in writing and read by its title.

**ACTION:** The Ordinance as introduced was **adopted**, effective June 14, 2016.

Yes: Johnson, Riddick, Protogyrou, Smigiel, Whibley, Winn and Fraim.

No: None.

R-18 Letter from the City Manager and an Ordinance entitled, “An Ordinance permitting **Richard and Judy Levin** to encroach into the right-of-way at **240 W. 21<sup>st</sup> Street** with a canopy, sign, pilasters, capitals, window trim and lighting,” was introduced in writing and read by its title.

**ACTION:** The Ordinance as introduced was **adopted**, effective June 14, 2016.

Yes: Johnson, Riddick, Protogyrou, Smigiel, Whibley, Winn and Fraim.

No: None.

R-19 Letter from the City Manager and an Ordinance entitled, “An Ordinance granting Blue Marble and Sun, LLC permission to encroach into the right-of-way at **9659 First View Street** approximately 187 square feet for the purposes of outdoor dining and approving the terms and conditions of the Encroachment Agreement,” was introduced in writing and read by its title.

**ACTION:** The Ordinance as introduced was **adopted**, effective June 14, 2016.

Yes: Johnson, Riddick, Protogyrou, Smigiel, Whibley, Winn and Fraim.

No: None.

R-20 Letter from the City Manager and an Ordinance entitled, “An Ordinance authorizing the City Manager to enter into a Right of Entry Agreement with the Commonwealth of Virginia, Department of Transportation and Corman-E.V. Williams, a joint venture, for work related to the **Virginia Department of Transportation Military Highway Continuous Flow Intersection Project**,” was introduced in writing and read by its title.

**ACTION:** The Ordinance as introduced was **adopted**, effective June 14, 2016.

Yes: Johnson, Riddick, Protogyrou, Smigiel, Whibley, Winn and Fraim.

No: None.

R-21

Letter from the City Manager and an Ordinance entitled, “An Ordinance approving a License Agreement with the **Western Tidewater Water Authority** for the operation and maintenance of a raw water main across City of Norfolk property located in the City of Suffolk,” was introduced in writing and read by its title.

**ACTION:** The Ordinance as introduced was **adopted**, effective June 14, 2016.

Yes: Johnson, Riddick, Protogyrou, Smigiel, Whibley, Winn and Frain.

No: None.

R-22

Letter from the City Manager and an Ordinance entitled, “An Ordinance finding a public necessity for the acquisition in fee simple of certain property located at **312 and 314 Brockwell Avenue** for the purpose of construction of a retention pond; approving the acquisition of the property by Purchase Agreement or Condemnation; and authorizing the expenditure of a sum of up to \$46,000.00 from funds heretofore appropriated for acquisition of the property and all related transactional costs,” was introduced in writing and read by its title.

**ACTION:** The Ordinance as introduced was **adopted**, effective June 14, 2016.

Yes: Johnson, Riddick, Protogyrou, Smigiel, Whibley, Winn and Frain.

No: None.

R-23

Letter from the City Manager and an Ordinance entitled, “An Ordinance approving a **Nonexclusive Telecommunications Franchise Agreement** with Mobilite, LLC,” was introduced in writing and read by its title.

Bich Tran, 925 B. Peachtree Street, N.E. Suite 710, Atlanta, Georgia, was present to answer questions.

**ACTION:** The Ordinance as introduced was **adopted**, effective July 15, 2016.

Yes: Johnson, Riddick, Protogyrou, Smigiel, Whibley, Winn and Frain.

No: None.

R-24 Letter from the City Manager and an Ordinance entitled, “An Ordinance accepting with appreciation the donation of \$5,710 to the City from the **Hampton Roads Community Foundation** and appropriating and authorizing the use of the funds to support **Library Services and Programs**,” was introduced in writing and read by its title.

**ACTION:** The Ordinance as introduced was **adopted**, effective June 14, 2016.

Yes: Johnson, Riddick, Protogyrou, Smigiel, Whibley, Winn and Fraim.

No: None.

R-25 Letter from the City Manager and an Ordinance entitled, “An Ordinance permitting **Norfolk Outlets, LLC** to encroach into the right-of-way of **Northampton Boulevard and Miller Store Road** with signage,” was introduced in writing and read by its title.

**ACTION:** The Ordinance as introduced was **adopted**, effective June 14, 2016.

Yes: Johnson, Riddick, Protogyrou, Smigiel, Whibley, Winn and Fraim.

No: None.

R-26 Letter from the City Manager and an Ordinance entitled, “An Ordinance permitting Jack Mavromatis, Jr., Louis Mavromatis and Helen Christie to encroach into the right-of-way at **117 W. 21<sup>st</sup> Street** with signage and an awning,” was introduced in writing and read by its title.

**ACTION:** The Ordinance as introduced was **adopted**, effective June 14, 2016.

Yes: Johnson, Riddick, Protogyrou, Smigiel, Whibley, Winn and Fraim.

No: None.

R-27

Letter from the City Manager and an Ordinance entitled, "An Ordinance to repeal Sections 16-177 to 16-184 of the Norfolk City Code, 1979 **SO AS TO** dissolve the Norfolk Municipal Bond Commission," was introduced in writing and read by its title.

Ellis James, 2021 Kenlake Place, spoke in favor of this matter.

**ACTION:** The Ordinance as introduced was **adopted**, effective June 14, 2016.

Yes: Johnson, Riddick, Protogyrou, Smigiel, Whibley, Winn and Fraim.

No: None.

R-28

Letter from the City Attorney and an Ordinance entitled, "An Ordinance directing the City Treasurer to issue a refund in the amount of \$2,547.25, plus interest to **Zahn Court Reporting, Limited** based upon the overpayment of its **Business License Tax for the year 2016**," was introduced in writing and read by its title.

**ACTION:** The Ordinance as introduced was **adopted**, effective June 14, 2016.

Yes: Johnson, Riddick, Protogyrou, Smigiel, Whibley, Winn and Fraim.

No: None.

R-29

Letter from the City Attorney and an Ordinance entitled, "An Ordinance to schedule the starting time of the **organizational city council meeting** at 2:00 p.m., **Friday, July 1, 2016** in the Council Chamber," was introduced in writing and read by its title.

**ACTION:** The Ordinance as introduced was **adopted**, effective June 14, 2016.

Yes: Johnson, Riddick, Protogyrou, Smigiel, Whibley, Winn and Fraim.

No: None.

R-30 Letter from the City Manager and an Ordinance entitled, “An Ordinance authorizing the City Manager to enter into a **Cooperation Agreement with the Economic Development Authority**,” was introduced in writing and read by its title.

**ACTION:** The Ordinance as introduced was **adopted**, effective June 14, 2016.

Yes: Johnson, Riddick, Protogyrou, Smigiel, Whibley, Winn and Frain.

No: None.

R-31 An Ordinance entitled, “An Ordinance to repeal Section 6-100 of the *Norfolk City Code, 1979*, **SO AS TO** dissolve the Animal Advisory Board,” was introduced in writing and read by its title.

**ACTION:** The Ordinance as introduced was **adopted**, effective June 14, 2016.

Yes: Johnson, Riddick, Smigiel, Whibley, Winn and Frain.

No: Protogyrou.

R-32 A Resolution entitled, “A Resolution appointing 3 persons to two Authorities for certain terms,” was introduced in writing and read by its title.

**ACTION:** The Resolution as introduced was **adopted**, effective June 14, 2016.

Yes: Johnson, Riddick, Protogyrou, Smigiel, Whibley, Winn and Frain.

No: None.

## **NEW BUSINESS**

1. Tanterrian Taylor, 5920 Poplar Hall Drive, #E304, asked the council to address the following 5 issues: 1) a stop block at the fire station on Poplar Hall Drive; 2) speed awareness devices on Poplar Hall Drive; 3) fix the sink hole at 5870 Military Highway; 4) clean up the trash at Military Crossing; and 5) VDOT's CFI Project plan for 2038 needs to include a pedestrian cross walk.
2. Bill Cook, 2720 Marlboro Avenue, expressed concern about crime and violence in the City and that our youth deserve to live in a safe community.
3. Reverend Glen Jones, 2501 Kennon Avenue, asked if the Mayor had the wellbeing of the citizens of Norfolk or African Americans in mind when he voted on past projects and contracts.
4. Danny Lee Ginn, 3844 Dare Circle, stated it was his 70<sup>th</sup> birthday.